

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

FUSION ELITE ALL STARS, et al.,

Plaintiffs,

v.

VARSITY BRANDS, LLC, et al.,

Defendants.

Case No. 2:20-cv-02600-SHL-tmp

JURY TRIAL DEMANDED

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE REPLY IN SUPPORT
OF PLAINTIFFS' MOTION TO COMPEL DISCOVERY RESPONSES FROM
DEFENDANTS VARSITY BRANDS, LLC, VARSITY SPIRIT, LLC, VARSITY SPIRIT
FASHION & SUPPLIES, LLC AND U.S. ALL STAR FEDERATION**

Plaintiffs Fusion Elite All Stars, Spirit Factor LLC d/b/a Fuel Athletics, Stars and Stripes Gymnastics Academy Inc. d/b/a Stars and Stripes Kids Activity Center, Kathryn Anne Radek, Lauren Hayes, and Janine Cherasaro (collectively, "Plaintiffs") respectfully move the Court, pursuant to Local Rules 7.2(c), for leave to file a reply memorandum ("Reply") in support of their Motion to Compel Discovery Responses ("Motion") from Defendants Varsity Brands, LLC, Varsity Spirit, LLC, Varsity Spirit Fashion & Supplies, LLC ("Varsity") and U.S. All Star Federation ("USASF").

1. On February 15, 2022, Plaintiffs filed their Motion, which included a memorandum in support totaling 9 ½ pages in accordance with Local Rule 7.2(e). Plaintiffs also submitted four exhibits in support of the Motion. (Dkt. 199.)

2. On March 1, 2022, Varsity and USASF each filed separate responses in opposition to the Motion (Dkts. 203, 204.)

3. Defendants' responses raise issues that require a reply, including representations about the nature of the discovery agreements made by the parties, the nature of the discovery

served by each party, the burden that would result from the discovery sought, the applicability of certain evidentiary rules to the discovery sought, and the need for discovery sanctions.

4. Plaintiffs seek leave to file a single reply totaling 7 pages that will address both Varsity's and USASF's responses, attached as Exhibit 1, with a Declaration, attached as Exhibit 2.

For these reasons, Plaintiffs respectfully request leave to file their Reply. Plaintiffs make this timely request within 7 days of service of Defendants' Response. Defendants do not oppose the relief sought by Plaintiffs.

Dated: March 8, 2022

Respectfully submitted,

By: /s/ Victoria Sims

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CERTIFICATE OF GOOD FAITH

Consistent with Local Rule 26.1(b)(1) and 7.2(a)(1)(B), counsel for Plaintiffs conferred with counsel for Defendants, and Defendants agreed to the relief requested in this Motion.

/s/ Victoria Sims

Victoria Sims

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 8, 2022, the foregoing was served via ECF processing upon the following:

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s/ Victoria Sims
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